



Liechtenstein

Country Reports on Human Rights Practices - [2003](#)

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The Principality of Liechtenstein is a constitutional monarchy with a parliamentary form of government. Prince Hans-Adam II is the head of state; all legislation enacted by the popularly elected Parliament (Landtag) must have his concurrence. On March 16, the electorate adopted an initiative of the Princely House to amend the Constitution. The Parliament nominates and the Prince appoints the members of the Government. The Parliament was elected in 2001; the dominating Progressive Citizen's Party holds all cabinet seats. The judiciary is independent.

The Interior Ministry maintained effective control of the regular and auxiliary police forces, which are responsible for internal and external security. There is no standing military force. There were no reports that security forces committed human rights abuses.

The country had a prosperous, highly industrialized, free-enterprise economy with a vital services sector. It participated in a customs union with Switzerland and used the Swiss franc as its national currency. Its 32,525 citizens enjoyed a very high standard of living.

The Government generally respected the human rights of its citizens, and the law and judiciary provided effective means of dealing with individual instances of abuse.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports that government officials employed them.

Prison conditions generally met international standards. Men and women were held separately. Facilities were available to hold juvenile prisoners separately from adults in a pretrial detention facility, but there were no cases of juvenile imprisonment during the year. If a juvenile offender was convicted of a crime requiring imprisonment, the prisoner could be transferred to a youth facility in Austria. Pretrial detainees were held separately from convicted criminals.

The Government permitted visits by independent human rights observers.

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions. Within

24 hours of arrest, the police must bring suspects before an examining magistrate who must either file formal charges or order release. The law grants suspects the right to legal counsel of their own choosing and counsel was provided at government expense to indigent persons. Release on personal recognizance or bail is permitted unless the examining magistrate has reason to believe that the suspects are a danger to society or would not appear for trial.

Neither the law nor the Constitution prohibits forced exile, but the Government did not employ it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

The judicial system has three tiers: A lower court, appellate court, and supreme court. The court of first instance is the National Court (Landgericht). In addition, an Administrative Court hears appeals against government decisions. The State Court (Staatsgerichtshof) protects the rights accorded by the Constitution, decides conflicts of jurisdiction between the law courts and the administrative authorities, and acts as a disciplinary court for members of the Government.

The Constitution provides for the right to a fair public trial, and an independent judiciary generally enforced this right. Citizens had the right to counsel and the right to appeal, ultimately to the Highest Court (Oberster Gerichtshof). Trials involving minor offenses were heard by a single judge, more serious or complex cases by a panel of judges, and the most serious cases, including murder, by a public jury.

The Constitution authorizes the Prince to alter criminal sentences or pardon offenders. However, if the offender is a member of the Government and is sentenced for a crime in connection with official duties, the Prince may take such action only if the Parliament requests it.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press, including academic freedom.

Two daily newspapers were published; each openly sided with one of the two major political parties and by and large reflected their specific views. Both print and electronic media outlets received government subsidies, but there were no reports of attempts of the Government to exercise undue influence on their editorial boards.

A private radio station broadcast daily, along with a rudimentary television channel occasionally transmitting parliamentary debates and sport events. The third party (Freie Liste) represented in Parliament also issued an information bulletin. The Vorarlberg regional radio and television station of the public Austrian Broadcasting Corporation (ORF) regularly covered domestic issues and current events. Residents also received radio and television broadcasts from neighboring countries.

In August, the Government announced a plan to turn the private radio station into a public one at the beginning of 2004. The Government, which had subsidized the radio station since 2000, decided to step in after the private sponsor of the struggling radio broadcaster abruptly withdrew his support. Parliament approved the Government's plan in October and efforts began for the public radio station to go on the air on January 1, 2004. After the radio station becomes public, the new law is scheduled to require them to broadcast balanced reporting.

There were no restrictions on access to the Internet.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

The Constitution establishes the Roman Catholic Church as the official state church, and its finances are integrated directly into the budgets of the national and local governments. The Catholic Church is entitled to the State's annual contributions of \$223,000 (300,000 Swiss francs) under the terms of a 1987 law. The State's financial contributions for the year were paid to the Church. The Government also supported denominations other than the Catholic Church. The Government continued to seek a wide consensus on a new agreement on the relationship between the State and the Catholic Church.

Roman Catholic or Protestant religious education was compulsory in all primary schools, but the authorities routinely granted exemptions for children whose parents requested them. Secondary school students were offered a choice between traditional confessional religious education (provided for by the Catholic or the Protestant Church) or non-confessional classes on "Ethics and Culture." Denominations other than the Catholic and the Protestant Church are free to regulate their own religious education.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

The law provides for the granting of asylum and refugee status to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. In practice, the Government provided protection against refoulement and granted refugee status or asylum. The Government cooperated with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers. Although the overall number of asylum requests increased following the 1998 asylum law, the number of asylum requests has been steady in recent years. During the year, the Government received 102 applications for asylum.

The Government also provides temporary protection to persons who do not qualify as refugees or asylees; however, since the country lacks an airport or international train station, it received few requests.

A trilateral agreement with Switzerland and Austria requires the Government to return persons who enter from Austria or Switzerland without permission to the respective authorities.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections.

The country is a constitutional monarchy and a parliamentary democracy. The monarchy is hereditary in the male line. The 25-member unicameral legislature is elected every 4 years. Suffrage was universal for adults over age 18, and balloting was secret. Political parties operated freely. Citizens regularly voted on initiatives and referendums.

On March 14 to 16, the electorate adopted, with a 64.3 percent majority and a turnout of 87.7 percent, a popular initiative launched by the Princely House to amend the 1921 Constitution, increasing the executive powers of the Monarch. Prior to the referendum vote, the Prince had reiterated his pledge to abdicate to Austria if citizens did not approve the Princely House's proposal. In August, the Prince stated that if the Council of Europe, following a possible monitoring procedure, asked the Government to recant its constitutional reform, it would be an opportune moment to quit the organization.

On August 15, the country's National Day, Prince Hans-Adam II announced that he intended to hand over government business to his eldest son Alois in 1 year. Hans-Adam II would remain reigning Prince and head of

state.

There were 3 women in the 25-seat Parliament and 1 in the Cabinet, the Minister for Education, Transport and Communication, and Justice, who has served since 2001. A growing number of women were active in politics. Women served on the executive committees of the major parties.

Since 2001, the Government took several steps to promote greater participation by women in politics. Prior to the February 2001 parliamentary elections, the Government conducted two billboard campaigns to promote female candidates, one encouraging women to run for office, and another calling on voters to support female candidates. In addition, the Government organized a series of workshops for female parliamentary candidates. The Government drafted a check list for political parties on promoting female candidates based on a study revealing several factors hindering women from becoming engaged in politics and being elected.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A few domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The law prohibits discrimination on the basis of race, sex, language, or social status. The law also prohibits public incitement to violence or public agitation or insult directed against a race, people, ethnic group, or state.

The Government has established a working group on issues of social discrimination, which is tasked to examine the merits of setting up a new service addressing discrimination based on gender, national origin, disability, religion, or sexual orientation.

Women

The law prohibits all forms of domestic violence. According to police, there were 29 reported cases of domestic violence during the year, which 6 male aggressors were prevented from reentering the family home for 10 days, and 2 for a further period of 3 months. The State may file charges without a complaint from the victim. Frauenhaus stated that one out of five women was a victim of domestic violence.

A women's shelter provided refuge for 13 women and 9 children during the year. The shelter provided refuge for non-citizens as well. Annual government financing for the shelter was approximately \$238,000 (320,000 Swiss francs). Nongovernmental organizations (NGOs) believed that, as in neighboring countries, trafficking in women occurred; however, no specific cases were documented during the year (see Section 6.f.).

Societal discrimination continued to limit opportunities for women in fields traditionally dominated by men. Men earned more than women, and women generally did not receive equal pay for equal work. The Constitution provides for women's rights, and includes a significant number of laws to provide for equality of treatment among men and women to eliminate discrimination and sexual harassment and to create conditions that allow both men and women to combine work and family. The law mandates the division of retirement benefit claims in the case of divorce, under which the benefit claims accrued during the time of marriage are split between the parties, whether they worked outside the home or not. In a precedent ruling on gender discrimination in June, a court upheld a woman's claim for equal pay for equal work and ordered the payment of the salary difference since she began legal action.

Each spring the Government adopts an action plan to promote equal opportunity for both women and men, and each autumn the Government's Bureau for the Promotion of Equal Rights for Women and Men publishes a progress report. The action plan this year concentrated on domestic violence, the compatibility of career and family, and gender mainstreaming in politics. The Government in 2002 started a project with both Swiss and Austrian neighboring regions to promote prevention and assistance to victims of domestic violence.

Three women's rights groups were active. Frauenhaus Liechtenstein, Fruehstueckstreffen fuer Frauen, and Infra (Informations-und Kontaktstelle fuer Frauen) worked in areas of public affairs, information, legal counseling, lobbying, and other political activities (see Section 4).

Children

The Government was strongly committed to children's rights and welfare and funded a system of public education and health care. The Government provided compulsory, free, and universal primary school education for children of both sexes for 9 years, normally until the age of 16. It provided free health care for children under the age of 16.

The Government supported programs to protect the rights of children and matched contributions made to the three NGOs that monitor children's rights. The Office for Social Services oversaw the implementation of government-supported programs for children and youth.

There were some reports of abuse of children, although there was no societal pattern of such abuse. During the year, three persons were convicted of child abuse by the first instance court but none of these rulings is yet final. The Commission for the Coordination of Professionals in Cases of Sexual Offenses Against Children consists of experts from different backgrounds and focuses on assisting professionals (counselors, therapists, and physicians) who deal with sexual offenses against children. The Commission has undertaken public awareness-raising campaigns. During the year, it was contacted in 12 cases of suspected sexual abuse, the same number as in 2002.

Possession of child pornographic material is a statutory offense. The Government also extended the statute of limitation for sexual offenses against children. A special police unit on computer crime continued to monitor child pornography on the Internet; however, no investigations were opened during the year.

Persons with Disabilities

Although the law does not prohibit discrimination against persons with disabilities, complaints of such discrimination may be pursued in the courts. The law provides for compensatory payments by the Government to companies that employ persons with disabilities. The law increased opportunities for their integration into the workforce and promoted their right to be self-dependent. There was no discrimination in the provision of state services or societal discrimination against persons with disabilities.

The Government requires that buildings and government services be made accessible, and new public buildings generally met these provisions; however, some older buildings had not fulfilled these requirements.

National/Racial/Ethnic Minorities

Rightwing extremists, including skinheads, were not publicly active during the year. The Government did not report any visible activities but continued to monitor right-wing groups. A government commission, established in October 2002, to address violence and advise the Government on preventative measures, began operating in July. The commission attempted to raise public awareness in order to address the problem of acts of violence in the public areas such as schools and playgrounds.

There were no reports of racially motivated attacks on foreigners or ethnic minorities during the year. A 2002 lawsuit filed by police for violating the anti-racism law against four Hungarian skinheads who were arrested and deported in 2002 for possessing neo-Nazi items and publications remained pending at year's end.

A working group implementing the recommendations of the 2001 Durban World Conference against Racism operated under a National Action Plan and organized the first set of human rights education classes for police officers in 2002. These training sessions have been extended to the public social service workers in September and to the criminal police in December.

In the spring, the Parliament approved the acceptance of the individual complaints procedure under Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination (to which the country is a State party). The State Court has been designated as the national legal body to receive and consider petitions from individuals who claim to be victims of violations of the rights set forth in the Convention.

The European Commission against Racism and Intolerance (ECRI) published its second report on the country in April. An ECRI expert group visited in 2002 and met with representatives of various ministries and public administrations as well as with NGOs to research racism and intolerance in the country.

Section 6 Worker Rights

a. The Right of Association

The law provides that all workers, including foreigners, are free to associate, join unions of their choice, and select their own union representatives, and workers exercised these rights in practice. Due to the country's small size and population, there was only one trade union, which represented approximately 13 percent of the work force; however, the union protected the interests of nonmembers as well.

The law encourages the formation of unions but does not prohibit anti-union discrimination. It states that anti-union discrimination should be avoided.

Unions were free to form or join confederations and were allowed to affiliate with international bodies. The only union was a member of the World Confederation of Labor but was represented on an ad hoc basis by a Swiss union.

b. The Right to Organize and Bargain Collectively

The law provides for the right of workers to organize and bargain collectively. However, collective bargaining agreements usually were adapted from those negotiated by Swiss employers and unions. In accordance with EEA guidelines, domestic labor law requires that employers consult with unions in cases of projected mass dismissals and submit employment contracts in written form.

Workers have the right to strike except in certain essential services. No strikes were reported during the year. The law does not provide specific protections for strikers. Employers were allowed to dismiss employees for serious offenses or for breach of contract, such as having a complaisant medical certificate.

There are no export processing zones.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children, and there were no reports that such practices occurred.

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits the employment of children less than 16 years of age. However, exceptions may be made for the limited employment of youths aged 14 and over and for those who leave school after completing 9 years of compulsory education (see Section 5). Children aged 14 and older may be employed in light duties for not more than 9 hours per week during the school year and 15 hours per week at other times.

The Government devoted adequate resources and oversight to child labor policies. The Department for Worker Safety of the Office of the National Economy effectively supervised compliance with the law. Inspections by the Department for Worker Safety were adequate.

The Government has not ratified International Labor Organization (ILO) Convention 182 on the worst forms of child labor.

e. Acceptable Conditions of Work

There was no minimum wage. In 2002, a total of 60 households depended on public welfare, to obtain a yearly minimal income. The monthly average minimum assistance paid in 2002 was approximately \$1,560 (2,100 Swiss francs) for a 1-person household and \$2,900 (3,900 Swiss francs) for a single mother with two children. A total of 1,121 persons received public assistance in 2002.

The law sets the maximum workweek at 45 hours for white-collar workers and employees of industrial firms and sales personnel, and 48 hours for all other workers. The law provides for mandatory rest periods, and with few exceptions, Sunday work was not allowed. Workers over the age of 20 received at least 4 weeks of vacation; younger workers received at least 5 weeks.

The law sets occupational health and safety standards, and the Department for Worker Safety of the Office of the National Economy generally enforced these provisions. The law provides for a hearing in cases in which workers removed themselves from dangerous situations. The law provides for the right of workers to remove themselves from work situations that endanger health or safety without jeopardy to their continued employment.

f. Trafficking in Persons

The law prohibits trafficking in persons, and there were no reports that persons were trafficked to, from, or within the country. However, some NGOs believed that, as in neighboring countries, trafficking in women occurred but was not reported.

Any person leading another into prostitution faces up to 6 months in prison and/or heavy fines and up to 3 years in prison if the victim was under 18. Independent prostitutes were tolerated as long as they were confined to special salons, cabarets, or other private apartments. The police undertook regular controls on prostitutes' working conditions and salaries but acknowledged that many Swiss middlemen employed women working in the country.